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October 6, 2021

Via ECF

Hon. Katherine Polk Failla
United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Room 2103
New York, New York 10007
Failla_NYSDChambers@nysd.uscourts.gov

MEMO ENDORSED

Re: ABKCO Music & Records, Inc., et al v. Coda Publishing, Ltd., et al
No.1:19-cv-11892-KPF

Dear Judge Failla:

This office is counsel to Plaintiffs in the above entitled action. We are writing to request leave to file redacted versions of Exhibits 1, 76, and 77 which were annexed to the Declaration of William Pittenger, Esq., and filed as ECF # 132. Exhibits 1, 76, and 77 have been placed under emergency seal, and we are requesting that the unredacted versions of the exhibits remain under seal and that Plaintiffs be permitted to file redacted versions of these exhibits. We are seeking leave to redact the royalty rates, acquisition amounts and confidential terms from appearing on the public docket. A copy of the redacted exhibits is annexed hereto.

Specifically, Plaintiffs request leave to redact financial information from Exhibit 1, the 1966 Songwriters Agreement, Exhibit 76, the 1965 Artist Agreement, and Exhibit 77, the 1968 Heads of Agreememt. These exhibits contain sensitive, non-public information, including previously non-disclosed financial information and non-disclosed royalty amd acquisition amounts. Accordingly, Plaintiffs respectfully request Your Honor allow Plaintffs to file these redacted exhibits to the Declaration of William Pittenger to protect the confidentiality of the referenced material.

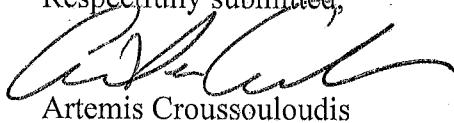
Plaintiffs' requests are narrowly tailored and are meant to preserve and honor the confidentiality designations made by the parties in this case pursuant to the Protective Order, which are designed to protect sensitive non-public information related to the parties' financial and proprietary information. (ECF No. 55).

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Plaintiffs filed unredacted versions of the aforementioned documents under seal via ECF. In accordance with Your Honor's Rules, Plaintiffs will also submit unredacted versions of Plaintiffs' filing to Chambers via email.

Accordingly, Plaintiffs respectfully request that the Court grant their request that the unredacted exhibits remain under seal and that Plaintiffs be permitted to file the redacted versions of Exhibits 1, 76 and 77 to the Pittenger Declaration.

Respectfully submitted,



Artemis Croussouloudis

cc: Daniel A. Schnapp, Esq.
Michael B. Kramer, Esq.

Application GRANTED.

Plaintiffs may file redacted versions of Exhibits 1, 76, and 77 to the Declaration of William Pittenger (Dkt. #132) on the public docket.

The Clerk of Court is directed to file the unredacted versions of Exhibits 1, 76, and 77 to Plaintiffs' Declaration of William Pittenger (Dkt. #132) under seal, viewable by only the Court and parties.

The Court notes that Plaintiffs' above request was filed several days after the September 29, 2021 deadline for Plaintiffs' motion for summary judgment and after Plaintiffs filed unredacted versions of Mr. Pittenger's Declaration and Exhibits on the public docket (Dkt. #132). The Court cautions Plaintiffs to adhere to the Court's deadlines and to take more care when filing future submissions in this case.

The Clerk of Court is directed to terminate the motion at docket entry 148.

SO ORDERED.

Dated: October 6, 2021
New York, New York



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE